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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

February 9, 1971

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MEMORANDUM FOR

Under Secretary of State John N. Irwin, II
Deputy Secretary of Defense David Packard
Chairman, Joint Chiefs of Staff, Admiral Thomas H.
Moorer
Director of Central Intelligence Richard Helms

SUBJECT: Issues Paper -- The Entire UN Membership
Question: US-China Policy (NSSM 107)

Attached is the Issues Paper on The Entire UN Membership
Question and US-China Policy prepared by the Ad Hoc Working
Group in response to NSSM 107. It is tentatively scheduled
for consideration by the Senior Review Group on Friday,
February 26, at 3:00 p.m.

7-10-71
Jeanne W. Davis
Staff Secretary

Attachment

cc: Mr. Anthony Jurich, Treasury
Mr. Robert McLellan, Commerce

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Declassified/Released on 9/16/96
under provisions of E.O. 12958
by J. Saunders, National Security Council

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ISSUES PAPER -- NSSM 107

I. The Problem

1. We face an immediate, major problem at the UN. The odds are that if we maintain our present policy on Chinese Representation, the General Assembly will expel the Representatives of the Republic of China and seat the Representatives of Communist China either this year or next. This being so, should we change our present policy, and if so, to what?

2. UN membership for the divided states (the Germanies, Koreas and Vietnams) is not a pressing problem. We could face an East German membership application this year but this is manageable. Should we nevertheless move to a policy favoring universality of UN membership as a means of dealing with all divided states problems as a group? To what extent would this help us on Chinese Representation? How would it affect our relations with the Republic of China, Communist China, West Germany, South Korea and South Vietnam? How would it affect our leadership elsewhere?

II. Basic Considerations

A. Situation in the General Assembly

1. The 1970 General Assembly voted 51 to 49 (U.S.) with 25 abstentions for the Albanian resolution to expel the Republic of China and seat Communist China in its place. It was not adopted because the Assembly had previously passed the U.S.-sponsored Important Question resolution (66 (U.S.) to 52 with 7 abstentions) providing that any proposal to change China's UN representation must get a two-thirds majority.

2. Unless there is a new approach to the Chinese Representation problem the Assembly will soon seat Communist China and expel the Republic of China.

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This could happen in 1971; the probabilities would be very high by 1972. Some of the major countries involved--including the U.K., Canada, New Zealand and others--have already indicated that they are likely to cease supporting the Important Question at the next Assembly and in fact some might oppose us on the issue. It may be possible to pass the Important Question in 1971 by a slim margin, but we cannot be sure of this. If the Important Question fails and the Albanian resolution maintains its majority, the Republic of China will be expelled and Communist China seated.

3. While there is great sentiment in the Assembly that Communist China be seated, at the present time a majority does not wish to expel the Republic of China if this can be avoided. A resolution to seat both through a dual representation formula would probably draw majority support at the next General Assembly, but might not be able to get a two-thirds vote--which would be required if the Important Question in its present form were again proposed and adopted. At least a few of the countries which voted for the Albanian resolution in 1970 would vote for dual representation, and so would a number of the abstainers.

4. There is also strong sentiment in favor of the concept of universality whereby all de facto governments which for long periods have effectively controlled significant territory and population would enjoy representation in the UN. Some states that profess support for the idea of universality, however, would not consider it applicable to the Republic of China because they regard Taiwan as a part of China. The U.S. and other states have reservations about membership now for East Germany in view of the present state of intra-German relations, and in view of the unresolved Berlin problem.

5. A universality resolution would not cause unmanageable problems regarding micro-states or insurrectionary regimes (including Southern Rhodesia). It would pose some problems in our bilateral relations with West Germany and South Korea, particularly if we envisaged

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concrete steps to be taken to bring all divided states into the UN in the immediate future, for example through a "package deal".

B. U.S. Interests

It is in the U.S. interest to:

1. Maintain a place for the Republic of China in the UN--Republic of China expulsion or withdrawal from the UN would erode international support for it and would make us more vulnerable to the charge that our defense treaty with the Republic of China constitutes interference in Chinese internal affairs. This would be particularly true if Communist China were in the UN as the sole legitimate government of all of China.
2. Improve our de facto relations with Communist China. Peking's entry into the UN would enable us to maintain regular, informal and high level contacts.
3. Keep open our options on whether Taiwan is a part of China or a separate political entity.
4. Enhance the UN's capacity to deal with problems that are genuinely global by encouraging more universal participation.
5. Avoid approaches to the divided states membership question whose immediate effects would cause serious difficulties in our relations with our allies:

-- Germany: East Germany is eager to join the UN. West Germany has said it is willing to see East Germany join the UN when a modus vivendi is reached. The U.S. has joined with the U.K., France and West Germany in a commitment that we will not acquiesce in East German UN membership before an intra-German agreement is achieved and satisfactory agreements on Berlin are reached. This would require

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that, if we support universality, we state the pre-conditions for East German membership.

-- Korea: South Korea will oppose North Korean membership; it prefers the status quo under which it has UN observer status and the North Koreans are excluded from the entire UN system. We might be able to persuade South Korea that espousing UN membership for both Korean entities would put the North on the defensive and display Southern confidence in their strength and ability. However, the South Koreans would almost certainly insist we make no moves until after their May Presidential elections. The North Koreans probably will be prepared to join the UN.

-- Vietnam: While South Vietnam may initially resist membership for the two Vietnams, it can be persuaded to go along. North Vietnam is likely to oppose separate membership, at least until after a Vietnam peace settlement.

C. Communist China and Republic of China Attitudes

1. Communist China insists the Republic of China must be expelled from the UN before it will enter. Present voting trends have favored its policy and there is little likelihood its policy will change. For the foreseeable future Communist China would almost certainly refuse participation in the UN if the Republic of China retains representation; its supporters will continue to press for expulsion of the Republic of China.

2. The Republic of China claims to be the sole legitimate government of all of China (including Taiwan) and has so far insisted it will never acquiesce in any proposal to seat Communist China in the UN. There have been faint signs within the Republic of China of a somewhat more flexible attitude, including some consideration of dual representation. Chiang Kai-shek, however, will make the decisions on Chinese Representation himself, and there has been no hint of flexibility in his attitude. Depending upon the substance of a dual representation or universality proposal, U.S. advocacy could put a substantial strain on our relations.

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D. Importance of Consultations

Whether we change our Chinese Representation policy or not, it is most important that we consult closely with key allies on this issue, and particularly with Japan. In addition to Japan, we have commitments to consult with the Republic of China, Australia, New Zealand, Belgium and the U.K. We already have had exploratory discussions with these governments. If we pursue the universality strategy, we must consult also with our German, Korean and Vietnamese allies.

III. Policy Options

Our policy choice is essentially between (1) sticking with our present policy, recognizing that this will probably lead to Communist Chinese entry and Republic of China expulsion this year or next; or, (2) shifting in the direction of a dual representation formula for China without reference to any other membership questions; or, (3) advocacy of universality of UN membership as a framework for dealing with divided states questions, followed by a dual representation resolution on China.

A. Maintain our present Chinese Representation policy:

Once again sponsor the Important Question and help mobilize opposition to the Albanian resolution.

Major Advantages

1. Best maintains good relations with the Republic of China which may strongly urge we take this course and resist any other.
2. Least jeopardizes future improvement in relations with Communist China--which sees this policy as leading to its early victory.
3. Would result in early resolution of the Chinese Representation issue, and put an end to the annual expenditure of diplomatic capital on this issue.

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Major Disadvantages

1. Would lead to expulsion of the Republic of China and Communist Chinese seating this year or next.
2. Would mean great loss of U.S. prestige internationally and considerable criticism domestically and in Congress.
3. Defeat could lead to further loss of U.S. public and Congressional support for the UN.

Tactical Considerations

In a variation of this option we could continue our present policy without making major efforts on behalf of the Republic of China. This would diminish slightly the amount of U.S. prestige at stake and avoid placing additional obstacles in the way of improved relations with Communist China. U.S. passivity, however, would be reprehensible to the Republic of China, might prompt other allies to question the dependability of the U.S., and might do little to mitigate adverse international and domestic consequences of a U.S. defeat on this issue.

B. Work for a dual representation formula aimed at seating both Communist China and the Republic of China

Major Advantages

1. Would stand a good chance of commanding majority support in the Assembly and of drawing votes away from the Albanian resolution, thus blocking its passage.
2. Would be seen both domestically and internationally as a realistic and forward-looking policy.
3. If Communist China refused to enter the UN on the basis of a dual representation resolution as is likely, would shift the onus for non-participation to Peking itself.

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4. Even if the introduction of a dual representation resolution only temporarily (two to three years) arrested the tide in favor of the Albanian Resolution, we would have moved from certain early defeat on a policy viewed by many as rigid and outdated to later defeat on a politically more defensible position.

Major Disadvantages

1. Would be regarded by Communist China as U.S. adoption of a policy hostile to its interests, especially if the resolution contradicted the common claim of Communist China and the Republic of China that Taiwan is a part of China.

2. Might be strongly opposed by the Republic of China, which, at least initially, may take the position that it would rather quit the UN than acquiesce in any strategy involving Communist China's seating, thus facing us with a decision on whether to persevere if the Republic of China persisted in opposing our position.

3. Could leave the field open to Communist China's entry on its own terms if the Republic of China in fact withdraws.

4. Even if passed, it is not certain how long majority support could be retained in the face of Communist China's adamant refusal to enter the UN on that basis.

Tactical Considerations

A. A number of different types of dual representation resolution are available -- we should work out specific language in consultation with our allies. Both Communist China and the Republic of China would regard as somewhat less hostile to their interests a resolution which affirmed that, conceptually at least, China is one. For our part, we would want to leave open the question of whether Taiwan is a part of China or not.

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B. We will have to decide whether or not again to push the Important Question resolution in its present form. Our final decision should be made after consultation with our allies and after an assessment of the voting situation made shortly before the next General Assembly. The choices are:

1. Push for the Important Question in its present form -- Having a dual representation resolution on the floor will alter the voting situation on the Important Question and could increase its chances for passage since some of the countries which are now reluctant to support the Important Question again might do so if it were associated with a dual representation resolution. It would be difficult to obtain a two-thirds majority for dual representation, but if obtained we could argue thereafter that a two-thirds majority was required to overturn it.

2. Push for a modified Important Question -- Advance a new version of the Important Question affirming that a two-thirds majority was required for any proposal to expel the representatives of the Republic of China, instead of the present Important Question which affirms that any proposal to change China's UN representation must get a two-thirds majority. Should it pass, this would allow us to seek passage of a dual representation resolution by a majority (a probable outcome), and yet would require a two-thirds vote in the case of the Albanian resolution. The Japanese are giving thought to this kind of resolution.

3. Drop the Important Question entirely -- Attempt to pass a dual representation resolution by a simple majority and trust that enough votes will be drawn away from the Albanian resolution to prevent its receiving a majority.

C. The Republic of China regards as of prime importance avoiding UN recognition of Communist China as the sole legitimate government of China, and holding

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on to its Security Council seat. The dual representation formulation should handle this first problem, but we would have to consult with allies to explore the possibility of holding the Security Council seat at least until Communist China signified willingness to abide by a dual representation resolution. It may in fact be difficult to accomplish this, since many members of the UN will regard an offer of the Security Council seat to Communist China as essential to a serious proposal. Whatever the Assembly recommends, only the Security Council can decide the issue.

D. As we take further steps in the direction of normalizing our relations with Communist China, we increase tensions in our relations with the Republic of China. If we choose the dual representation strategy, we would be heading into a period of additional difficulty in our relations with the Republic of China. Unless we can reassure the Republic of China on the Security Council seat issue, as well as on the less difficult matter of having a dual representation resolution avoid recognition of Communist China as the sole legitimate government of China, the Republic of China probably will attempt to persuade us that it would withdraw from the UN rather than accept dual representation and we would have to persuade the Republic of China that such a move was against its interests. The Republic of China may bring great pressure to bear over a protracted period to make us change our decision, and probably will take the matter directly to the President. Should we conclude, after persistent efforts to persuade the Republic of China, that Chiang would in fact withdraw, we would have to decide whether to persevere even at the cost of considerable strain in our relations with the Republic of China when the practical outcome might well be Communist Chinese entry and Republic of China expulsion.

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E. We must also consider whether, once we commit ourselves to dual representation, the dynamism of events will allow us to turn aside at the last moment if we should want to do so. If we were to turn aside, would the U.S. be seen as faithfully living up to its commitments to an ally though knowing this would lead to defeat; or would the U.S. be seen as having bowed to an obstinate ally and gone down to defeat because the U.S. would not adopt a more realistic policy? An assessment of domestic political factors must play a large part in reaching decisions in this area. Particular concerns are: how the American public would view our defense commitment to the Republic of China if the Republic of China's leadership insisted upon a policy which was widely regarded as sterile and unrealistic; how the public would react to Republic of China withdrawal or expulsion.

C. Press for a universality resolution followed by a dual representation resolution seating both Chinese entities.

Such an approach would consist of a resolution supporting universality as a principle and a separate dual representation proposal for China. It might also express support for the admission of all divided states but leave open the question of implementation.

Major Advantages

1. Universality is supported in principle by the great majority of UN members and would provide a theoretical basis for handling the divided states membership questions.
2. If passed, a universality resolution would help us somewhat in the fight against the Albanian resolution.
3. Placing dual representation for China within the philosophic framework of universality would make it more difficult to attack since we could argue that seating both Chinese entities was a concrete realization of the universality principle.

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4. The Republic of China might find it somewhat easier to acquiesce in a dual representation formula if it is placed in the conceptual framework of universality.

5. A general universality resolution would allow the actual admission of the divided states to be worked out according to the circumstances of each case.

Major Disadvantages

1. Would give us most of the problems arising from the opposition of both Chinas to the dual representation principle which are noted under Option B.

2. We would experience difficulties with South Korea. These problems could be somewhat mitigated by deferring any policy declarations until after the May 1971 Presidential elections, but Korean interests probably cannot be entirely reconciled with our own.

3. Would raise problems with West Germany. West Germany is likely to argue that even accompanied by the statement of preconditions on East Germany, U.S. endorsement of universality will make it more difficult to block East German membership in UN specialized agencies and participation in UN-sponsored conferences in the immediate future, and could lead to additional recognition of East Germany by third states.

Tactical Considerations

A. A universality "package" recommending admission of all divided states would buy us more problems than it is worth since we are not ready to accept East German entry without preconditions. A resolution that enunciates the general principle, refers to the major states outside the UN ambit, and expresses the willingness of the General Assembly to approve their applications when the Security Council (in which we have a veto) recommends, would be more manageable.

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B. The actual wording of the resolution would be worked out in consultation with our allies--in the light of what is most saleable in the Assembly. We will want to closely coordinate on tactics as well.

C. Since it involves membership, it could be argued that a universality resolution would need a two-thirds majority for adoption. If the resolution were vaguely worded to refer generally to admission of the divided states, it probably would secure that size majority. But the more preconditions we add (for example regarding deferral of East German entry), and especially if it contains language maintaining a place for the Republic of China, the more likely the resolution is to lose support and fall short of a two-thirds majority.

IV. Timing

If we decide upon a new Chinese Representation policy, when should we make it known?

1. Public acknowledgement or announcement could be made at a relatively early stage in our consultations with the Republic of China and other allies. Knowledge of our consultations is certain to leak. Early announcement would maximize the credit we receive from a new policy initiative, and might help us persuade President Chiang of our conviction that a new strategy is required.

On the other hand, an early announcement might be offensive to Chiang and could increase chances that he would commit himself publicly in opposition. Depending upon the degree of his opposition, this situation carries with it the risk of having to back away from a public position because the Republic of China would not go along. We might still obtain some credit for having made a best effort, but domestic and foreign opinion might focus primarily upon the fact that we had altered our course at the behest of a smaller and unduly obstinate ally.

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2. We could hold off any public acknowledgment as long as possible in the hope of persuading Chiang to acquiesce. Our consideration of a new policy is likely to become public knowledge, but in the absence of a public statement both the credit we would receive for taking a new course, and the embarrassment of a possible shift in this course due to inability to persuade Chiang, would be lessened. A major argument for holding off on an announcement would be a judgment that it would maximize the prospect of obtaining Republic of China acquiescence, although this could be argued the other way as well.

3. Should our new position include support for universality, the Germans and the Koreans would want us to hold off an announcement. The Koreans would almost certainly want us to hold off at least until after the May Presidential elections, and the Germans probably throughout the entire intra-German negotiation process.

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